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Attorney for the Creditor
HERMAN MENEZES, LLC

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

* * *

IN RE:

ALVIN A. BRESCIANI,

Debtor.

HERMAN MENEZES, LLC

Plaintiff,

Vs.

ALVIN BRESCIANI,

Defendant.

Case No. 3:22-bk-50266

Adv. Case No: 22-05012-nmc

Chapter 7

Hearing Date: Apr 6, 2023

Hearing Time: 9:30 AM

**SECOND NOTICE OF
INTENT TO FILE MOTION
FOR DEFAULT JUDGMENT**

TO THE COURT AND ALL PARTIES IN INTEREST:

Plaintiff filed the complaint in this adversary proceeding on August 29, 2022 [ECF#1]. On August 29, 2022, the Court issued a Summons and Notice of

1 Scheduling Conference in Adversary Proceeding [ECF# 3]. Plaintiff filed and
2 served an Amended Complaint on September 2, 2022 [ECF#7]. The summons
3 and complaint were served on Defendant by Personal Service Mail Service on
4 September 2, 2021 [See ECF #6]. The time for filing an answer or other
5 responsive pleading expired on September 28, 2022. No answer or other
6 responsive pleading has been filed or served by Defendant. On November 4,
7 2022, the Clerk of the Court entered an Entry of Default against the Defendant
8 [See ECF #12]. On November 10, 2022, the Plaintiff served the Entry of Default
9 on the Defendant [See ECF #13].

12 On a motion from the Defendant, the Court set aside the default and
13 ordered the Defendant to file and answer to the amended complaint by Monday,
14 March 13, 2023 [See ECF #30]. No answer or other responsive pleading by
15 Defendant has been filed or served.

17 On March 17, 2023, the Clerk of the Court entered an Entry of Default
18 against the Defendant [See ECF #33].

20 PLAINTIFF HEREBY PROVIDES NOTICE: in accordance with Fed. R. Civ. P.
21 55(b)(2); Fed. R. Bankr. P. 7055. that it will file for default judgment against the
22 Defendant on or after March 29, 2023.

24 **DATED** this Mar 20, 2023

25 By: /s/ Luke Busby, Esq.
26 LUKE A. BUSBY, ESQ.
27 Nevada Bar No. 10319
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28 Reno, Nevada 89509
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CERTIFICATE OF SERVICE

I certify that on the date shown below, I caused service to be completed of a true and correct copy of the foregoing **SECOND NOTICE OF INTENT TO FILE**

MOTION FOR DEFAULT JUDGMENT by:

_____ personally delivering;

_____ delivery via Reno/Carson Messenger Service;

_____ sending via Federal Express (or other overnight delivery service);

 x depositing for mailing in the U.S. mail, with sufficient postage affixed thereto;
or,

_____ delivery via electronic means (fax, eflex, NEF, etc.) to:

Alvin Bresciani
6086 White Water Way
Reno, NV 89523

By: /s/ Luke Busby, Esq. _____
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Attorney for the Plaintiff

Mar 20, 2023